



(PW)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jeffrey C. GARLAND et al.

Group Art Unit: 1797

Application No.: 10/815,853

Examiner: W. BEISNER

Filed: April 2, 2004

Docket No.: 115622

For: METHOD AND APPARATUS FOR TRANSFERRING HEAT TO OR FROM ORGAN
OR TISSUE CONTAINER

STATEMENT OF SUBSTANCE OF PERSONAL INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Beisner at the January 15, 2009 personal interview. Applicants' Separate Record of the Substance of the Personal Interview is incorporated into the following remarks.

During the personal interview, Applicants' representative traversed the rejection of claims 1-7, 12, 13, 15-20, 23-27, 31, 32, 33, 40-46, 51, 52 and 54-58 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,385,821 to O'Dell et al. (hereinafter "O'Dell"); the rejection of claims 8-11, 28, 29, 34, 35 and 47-50 under 35 U.S.C. §103(a) as being unpatentable over O'Dell in view of U.S. Patent No. 4,530,816 to Douglas-Hamilton or U.S. Patent No. 3,810,367 to Peterson; the rejection of claims 14, 38, 39 and 53 under 35 U.S.C. §103(a) as being unpatentable over O'Dell in view of U.S. Patent No. 3,713,302 to Reviel; the rejection of claims 22, 36 and 37 under 35 U.S.C. §103(a) as being unpatentable over O'Dell in view of EP 0 376 763 to McKelvey et al. (hereinafter "McKelvey"); and the

rejection of claim 21 under 35 U.S.C. §103(a) as being unpatentable over O'Dell in view of McKelvey and International Patent Publication No. WO 96/29865 to Fahy et al. (hereinafter "Fahy"). The arguments presented by Applicants' representative paralleled the arguments asserted in the Amendment filed December 29, 2008.

As tentatively agreed during the personal interview, none of the applied references teaches or renders obvious the features of independent claims 1, 20 and 40. Thus, for at least these reasons, Applicants respectfully request withdrawal of the rejections of independent claims 1, 20 and 40 and the claims depending therefrom.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:RBI/hjr

Date: January 26, 2009

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